

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DIANE WALKER,

No. C 06-4303 MJJ

Plaintiff,

ORDER OF CONDITIONAL DISMISSAL

v.

BAYER CORPORATION SHORT AND LONG
TERM DISABILITY PLAN, et al.

Defendants.

The parties hereto, by their counsel, having advised the Court that they have agreed to a
settlement of this case,

IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided,
however, that if any party hereto shall certify to this Court, within ninety days, with proof of service
of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been
delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to
the calendar to be set for trial.

Dated: 8/29/2007



MARTIN J. JENKINS
United States District Judge